REMARKS

The foregoing amendments and the following remarks are responsive to the June 22, 2005 Final Office Action. Claims 1-3, 5-18, 20-25, and 30 are amended, Claim 4 remains as originally filed, Claims 19 and 26-29 remain as previously presented, and new Claims 31-33 are added. Thus, Claims 1-33 are presented for further consideration.

Response to Rejection of Claims 1-30 Under 35 U.S.C. § 112, First Paragraph

In the June 22, 2005 Final Office Action, the Examiner rejects Claims 1-30 as failing to comply with the written description requirement. The Examiner states that the specification does not particularly disclose or support the limitation "maintaining the user profile at the user location such that the user profile is inaccessible by the source of contents" as recited by independent Claims 1 and 13 or the limitation "and wherein the processing module is configured to maintain the user profile to be inaccessible to the source of contents" as recited by independent Claim 25. Dependent Claims 2-12 depend from Claim 1, dependent Claims 14-24 depend from Claim 13, and Claims 26-30 depend from Claim 25, so each of these claims includes one of these identified limitations as well as other limitations of particular utility.

As described herein, Applicants have amended Claims 1, 13, and 25 to remove the limitations identified by the Examiner. Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-30 and pass these claims to allowance.

Comments on Amended Claims 1, 13, and 25

As described herein, Applicants have amended Claims 1, 13, and 25. Applicants submit that the amendments to Claims 1, 13, and 25 are fully supported by the as-filed specification, including but not limited to, Figure 2; page 5, lines 26-27; page 6, lines 9-10 and 16-23; page 6, line 28 – page 7, line 1; and page 7, lines 13-19.

Claim 1

Applicants have amended Claim 1 to recite (emphasis added):

1.   A method of presenting content to a user at a user location, the content transmitted to the user location from a source of contents, the method comprising:
      creating a user profile based upon a plurality of inputs by a user, the user profile representing preference characteristics of the user;
      maintaining the user profile at the user location;
      receiving at the user location a set of parameters defined for at least one content, the set of parameters defining target groups of users to whom the at least one content is likely to be of interest, the set of parameters originating from the source of contents;

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correlating the user profile with the set of parameters at the user location to determine a number of matches between parameters in the set of parameters and preference characteristics in the user profile; and

transmitting a match signal from the user location to the source of contents only when the number of matches between the parameters in the set of parameters and the preference characteristics in the user profile **is at least a sufficient number to classify the user as a member of a target group** of the at least one content, **the match signal indicating that at least a sufficient number of matches were determined.**

Applicants submit that amended Claim 1 includes limitations not disclosed by U.S. Patent No. 5,758,257 issued to Herz et al. ("Herz"), which was cited previously by the Examiner in the November 16, 2004 Office Action. For example, Herz does not disclose "transmitting a match signal from the user location to the source of contents only when the number of matches ... is at least a sufficient number to classify the user as a member of a target group" or that "the match signal indicat[es] that at least a sufficient number of matches were determined," as recited by amended Claim 1.

The method of amended Claim 1 recites transmitting a match signal from the user location only when the number of matches between the parameters defined for a content and the preference characteristics of a user profile is at least a sufficient number to classify the user as a member of a target group of the content. (See, e.g., present application at page 6, lines 15-21.) Thus, the transmission of the match signal indicates that at least a sufficient number of matches were determined.

In contrast, Herz discloses a system and method for scheduling video programs in which an "agreement matrix" is generated, the agreement matrix relating customer profiles with content profiles to determine which available programs are most desirable for viewing by the customer. These programs are then presented to the customer for selection as a programming channel or as a "virtual channel." (See, e.g., Herz at col. 5, lines 4-22.) Instead of a simple tabulation of the number of matches between a set of parameters and the preference characteristics of a user profile, the agreement matrix of Herz is the reciprocal of the distance (agreement scalars for common characteristics) in multi-dimensional characteristic space between a customer profile vector and a content profile vector. (See, e.g., Herz at col. 5, line 53 – col. 6, line 8.)

Herz discloses repeatedly transmitting these agreement matrices from the set top multimedia terminal to the head end in order to generate initial content and customer profiles and to modify the content profiles and customer profiles. (See, e.g., Herz at col. 9, line 60 – col. 19,

line 3.) Herz also discloses providing feedback to the head end by transmitting the customer profile or the actual viewing history of the customer from the set top multimedia terminal, so that an agreement matrix can be calculated at the head end and one or both of the content profile and the customer profile can be modified to reflect current preferences. (See, e.g., Herz at col. 25, lines 33-41; col. 29, line 41 – col. 34, line 11; col. 41, line 20 – col. 45, line 7.) This feedback from the set top multimedia terminal to the head end occurs regardless of the level of matching between the content profile and the customer profile. In fact, the system and method disclosed by Herz must especially provide this feedback when the level of matching is poor between the content profile and the customer profile so as to be able to modify these profiles to reflect current preferences. Therefore, Herz does not disclose "transmitting a match signal from the user location to the source of contents **only** when the number of matches ... is at least a sufficient number to classify the user as a member of a target group" as recited by amended Claim 1 (emphasis added). Furthermore, since the feedback disclosed by Herz includes the actual viewing history or the profile of the customer, Herz does not disclose that "the match signal indicat[es] that at least a sufficient number of matches were determined," as recited by amended Claim 1.

Applicants respectfully request that the Examiner pass amended Claim 1 to allowance.

<u>Claim 13</u>

Applicants have amended Claim 13 to recite (emphasis added):

13.   A method of selecting content for presentation to a user at a user location, the content transmitted to the user location from a source of contents, the method comprising:
        creating a user profile based upon a plurality of inputs by a user, the user profile representing preference characteristics of the user;
        maintaining the user profile at the user location;
        receiving at the user location a set of parameters defined for at least one content, the set of parameters defining target groups of users to whom the at least one content is likely to be of interest, the set of parameters originating from the source of contents;
        correlating the user profile at the user location with the set of parameters to determine a number of matches between parameters in the set of parameters and preference characteristics in the user profile;
        generating a match signal only when the number of matches between the parameters in the set of parameters and the preference characteristics in the user profile **is at least a sufficient number to classify the user as a member of a**

target group of the at least one content, **the match signal indicating that at least a sufficient number of matches were determined**; and

    sending the match signal from the user location to the source of contents.

For similar reasons to those discussed above with regard to amended Claim 1, Applicants submit that amended Claim 13 includes limitations not disclosed by Herz. For example, Herz does not disclose "generating a match signal only when the number of matches ... is at least a sufficient number to classify the user as a member of a target group" or that "the match signal indicat[es] that at least a sufficient number of matches were determined," as recited by amended Claim 13.

Applicants respectfully request that the Examiner pass amended Claim 13 to allowance.

Claim 25

Applicants have amended Claim 25 to recite (emphasis added):

25.   A system for receiving and presenting content at a user location, the content transmitted to the user location from a source of contents, the system comprising:

    a profiling agent configured to create a user profile based upon a plurality of inputs by a user, the user profile representing preference characteristics of the user;

    a storage device coupled to the profiling agent and configured to store the user profile;

    a receiver configured to receive a set of parameters defined for at least one content, the set of parameters defining target groups of users to whom the at least one content is likely to be of interest, the set of parameters originating from the source of contents;

    a processing module coupled to the receiver and the storage device, **the processing module configured** to correlate the user profile with the set of parameters to determine a number of matches between parameters in the set of parameters and preference characteristics in the user profile, and **to generate a match signal only when the number of matches** between the parameters in the set of parameters and the preference characteristics in the user profile **is at least a sufficient number to classify the user as a member of a target group** of the at least one content, **the match signal indicating that at least a sufficient number of matches were determined**; and

    a transmitter coupled to the processing module and configured to send the match signal to the source of contents which stores the at least one content defined by the set of parameters.

For similar reasons to those discussed above with regard to amended Claim 1, Applicants submit that amended Claim 25 includes limitations not disclosed by Herz. For example, Herz does not disclose a "processing module configured ... to generate a match signal only when the

number of matches ... is at least a sufficient number to classify the user as a member of a target group" or that "the match signal indicat[es] that at least a sufficient number of matches were determined," as recited by amended Claim 25.

Applicants respectfully request that the Examiner pass amended Claim 25 to allowance.

Comments on Claims 2-12, 14-24, and 26-30

Claims 2-12 depend from amended Claim 1, so each of Claims 2-12 includes all the limitations of amended Claim 1, as well as other limitations of particular utility. Claims 14-24 depend from amended Claim 13, so each of Claims 14-24 includes all the limitations of amended Claim 13, as well as other limitations of particular utility. Claims 26-30 depend from amended Claim 25, so each of Claims 26-30 includes all the limitations of amended Claim 25, as well as other limitations of particular utility. For at least the reasons stated above, Applicants submit that each of Claims 2-12, 14-24, and 26-30 includes limitations not disclosed by Herz. Applicants respectfully request that the Examiner pass Claims 2-12, 14-24, and 26-30 to allowance.

Comments on New Claims 31-33

Applicants have added new Claims 31-33. Applicants submit that support for these claims is found in the as-filed specification, including but not limited to, page 6, line 30 – page 7, line 1.

Claim 31 depends from amended Claim 1, so Claim 31 includes all the limitations of amended Claim 1 as well as other limitations of particular utility. Claim 32 depends from amended Claim 13, so Claim 32 includes all the limitations of amended Claim 13 as well as other limitations of particular utility. Claim 33 depends from amended Claim 25, so Claim 33 includes all the limitations of amended Claim 25 as well as other limitations of particular utility. For at least the reasons stated above, Applicants submit that each of Claims 31-33 includes limitations not disclosed by Herz. Applicants respectfully request that the Examiner pass new Claims 31-33 to allowance.
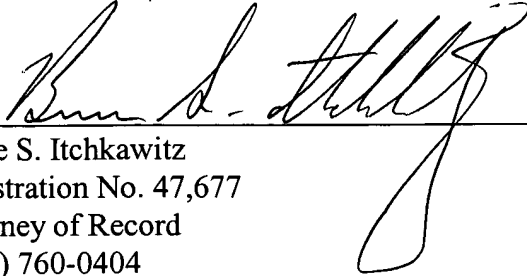
Summary

For the reasons stated above, Applicants submit that Claims 1-33 are in condition for allowance, and Applicants respectfully request such action.

Respectfully submitted,

Dated: _____8/11/05_____   By: _____

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